

Case Name: *State Farm Mut. Auto. Ins. Co., et al. v. Metro Pain Specialists, P.C., et al.* Case No: 21-cv-05523 (MKB) (PK)**REVISED PROPOSED DISCOVERY PLAN/SCHEDULING ORDER**

	<b>DONE</b>	<b>NOT APPLICABLE</b>	<b>DATE</b>
<b>A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE</b>			
1. Rule 26(f) Conference held			9/19/2023
2. Rule 26(a)(1) disclosures exchanged			10/13/2023
3. Requested:			
a. Medical records authorization		N/A	
b. Section 160.50 releases for arrest records		N/A	
c. Identification of John Doe/Jane Doe defendants		N/A	
4. Procedures for producing Electronically Stored Information (ESI) discussed		N/A	
5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website)		N/A	
<b>B. SETTLEMENT PLAN</b>			
1. Plaintiff to make settlement demand		N/A	
2. Defendant to make settlement offer		N/A	
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)		N/A	
4. Settlement Conference (proposed date)			
<b>C. PROPOSED DEADLINES</b>			
1. Motion to join new parties or amend pleadings		N/A	
2. Initial document requests and interrogatories		N/A	
3. All fact discovery to be completed (including disclosure of medical records)			5/2/2025
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			5/2/2025

5. Expert discovery (only if needed)		<i>Check here if not applicable</i> <input type="checkbox"/>	
Plaintiff expert proposed field(s) of expertise:		Pain Management, Acupuncture, Chiropractic, Neurology, Radiology, and DME/Orthotics	
Defendant expert proposed field(s) of expertise:		Pain Management, Acupuncture, Chiropractic, Neurology, Radiology, DME/Orthotics, medical billing practices, general medical treatment practices.	
	<b>DONE</b>	<b>NOT APPLICABLE</b>	<b>DATE</b>
a. Affirmative expert reports due			6/13/2025
b. Rebuttal expert reports due			7/18/2025
c. Depositions of experts to be completed			9/19/2025
6. Completion of ALL DISCOVERY (if different from C.3)			9/19/2025
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			10/03/2025
8. If any party seeks a <b>dispositive motion</b> , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			12/05/2025
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			12/05/2025
<b>D. CONSENT TO MAGISTRATE JUDGE JURISDICTION</b>			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. All parties consent to Magistrate Judge jurisdiction for trial?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY</b>			
1. Motion for collective action certification in FLSA cases		N/A	
a. Response due		N/A	
b. Reply due		N/A	
2. Motion for Rule 23 class certification		N/A	
a. Response due		N/A	
b. Reply due		N/A	

**This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.**

SO ORDERED:

*Peggy Kuo*

July 23, 2024

PEGGY KUO

Date

United States Magistrate Judge